



**ACHP COMMITTEE MEETINGS
SUMMARY OF EVENTS
Meetings via Zoom
September 29 and October 1, 2020**

FEDERAL AGENCY PROGRAMS COMMITTEE

Committee Chairman Jay Vogt welcomed participants to the September 29 meeting. Reid Nelson conducted a roll call of members and agency representatives. Chairman Vogt mentioned that an item not on the agenda, the Federal Communications Commission's (FCC) request for a Program Comment for "twilight towers," was also currently a subject of discussion with the ACHP membership. Chairman Aimee Jorjani noted members will receive more information on next steps regarding that proposal soon.

Demolition Provisions in Program Comments

Chairman Vogt noted that recent federal agency requests for Program Comments had raised questions about when and how it is appropriate to include provisions for demolition in such Section 106 program alternatives. He called on Mr. Nelson to provide background on recent Program Comments and the provisions for these and other program alternatives in the Section 106 regulations (36 CFR Part 800). Mr. Nelson said recent requests and growing interest from agencies have raised questions about the standards a federal agency should meet in order to request a Program Comment, as well as how the ACHP should approach consultation with stakeholders on the topic of demolition provisions within the 45 days allotted for review of a request. Program Comments require a vote of the ACHP membership, unlike other program alternatives, so ACHP members are often more closely involved. Several existing Program Comments over the past 15 years include demolition provisions. Mr. Nelson asked the committee for input on what to keep in mind in working with agencies that are developing new Program Comment/program alternative requests that will likely address demolitions, such as the U.S. Forest Service or the National Park Service (NPS).

Mark Wolfe (NCSHPO) observed that Program Comments take a certain amount of authority in the Section 106 process out of the hands of states and replace individual agreements states may have negotiated with federal agencies. Where small numbers of historic properties are likely to be affected, or where resources subject to consideration are located in a limited number of jurisdictions, a Program Comment would not be an appropriate means of handling demolition of historic properties. He said Program Comments more appropriately handle demolition when historic property types are widespread and numerous. In such cases, treating them in a batched fashion through a Program Comment avoids repetitive consultation efforts on the part of both agencies and State Historic Preservation Officers (SHPOs) and can be beneficial. Erik Hein (NCSHPO) agreed and clarified that the National Conference of State Historic Preservation Officers' (NCSHPO) objection is not that demolition provisions should never be included in a Program Comment. Rather, NCSHPO believes criteria should be established regarding when it should be addressed via a Program Comment. Making demolition more efficient for a small number of historic properties is not an appropriate use, and those reviews should proceed through the regular process.

Chairman Jorjani asked if there is a benefit to having an annual review process as part of a Program Comment's provisions. Mr. Nelson said an annual review was added to the recent Army Program Comment. Betsy Merritt (NTHP) echoed NCSHPO's comments on the application of demolition provisions and said safeguards like annual meetings are important and should be refined and included in future Program Comments.

Allen Rowley (USDA) urged the ACHP not to rule out demolition provisions entirely for Program Comments, as the number of properties potentially affected and the particular situations where demolition might be considered matter.

Jordan Tannenbaum noted the regular four-step review process can result in a more comprehensive assessment and that the regulations are the more effective tool in certain circumstances. Brad White thanked the staff and held up the recent Army Program Comment process as a good example of transparency and open communication with members about program alternative development that should be continued in the future.

Mr. Hein addressed Chairman Jorjani's question, saying that annual meetings are very important; though, he worries they become a substitute for consultation with states and tribes. Assessing the effectiveness of a Program Comment should not fall just to the ACHP and the federal agency. Mr. Nelson agreed that the ACHP wants to involve NCSHPO, the National Trust for Historic Preservation (NTHP), and other members in that evaluation.

Chairman Vogt asked if the process of developing Program Comments and the guidance the ACHP offers to federal agencies on these tools can be refined. He asked Chairman Jorjani to consider putting a small group of members on a working group to guide staff on improvements. Chairman Jorjani agreed updated guidance is needed, and she would like to see a checklist for agencies to use before submitting a request. Ms. Merritt volunteered that the NTHP would like to participate in a working group. Jen Hass (DHS) said federal representatives should participate. Beth Savage (GSA) echoed the importance of federal agency involvement and noted the ACHP should avoid defining Program Comments so narrowly they lose their usefulness to agencies and their flexibility.

John Fowler cautioned against looking at changes to the regulations. Mr. Hein said NCSHPO would be pleased to join the working group, and Shasta Gaughen also volunteered on behalf of the National Association of Tribal Historic Preservation Officers.

Executive Order 13287, "Preserve America," Section 3 Report

Tom McCulloch gave a progress report on development of the triennial Report to the President pursuant to Section 3 of EO 13287. Agencies are now submitting their progress reports, though the ACHP staff is flexible with late reports received into October given agency work disruptions due to COVID-19. Dr. McCulloch reviewed the major points of the outline included in the meeting paper and let committee members know they would have additional opportunities to provide input when an updated outline and draft recommendations are circulated in November and when a draft report is sent to members in December.

NEPA-Section 106 Handbook Update

Jaime Loichinger reported on planned updates to the ACHP-CEQ *NEPA and NHPA: A Handbook for Integrating NEPA and Section 106*. With revised National Environmental Policy Act (NEPA) regulations going into effect this month, ACHP staff and Council on Environmental Quality (CEQ) staff have worked together to produce an errata sheet and updated flow chart showing NEPA-Section 106 coordination milestones for Environmental Impact Statements. This short piece will reference revised definitions and citations from the revised NEPA regulations and is currently being reviewed by CEQ. The ACHP expects

to distribute it as soon as CEQ concludes its review. A more thorough revision of the *Handbook* is anticipated to start over the winter. It will incorporate revisions referencing the updated NEPA regulations and examples and lessons learned over the seven years since the *Handbook* was first published. Ms. Loichinger said Federal Agency Programs (FAP) Committee members will have an opportunity to review and provide input once that effort is underway.

Dr. Gaughen asked what would happen to the *Handbook* revisions in the event of a change in Administration or other change to the regulations that went into effect on September 14. Kelly Fanizzo said the plan is to work with the current regulations and the status quo. If there is any relevant change in the future, the ACHP can address that as needed.

Mr. Tannenbaum congratulated Chairman Vogt on leading his first FAP Committee meeting. Regarding plans for the next ACHP business meeting, Chairman Jorjani noted that future plans are unclear at this time and will depend on when COVID-19 restrictions ease in the Washington, D.C., area, among other factors.

COMMUNICATIONS, EDUCATION, AND OUTREACH COMMITTEE

Committee Chairman Robert Stanton called the meeting to order on September 29 and asked Chairman Jorjani to offer some words of welcome. She commended the Office of Communications, Education, and Outreach (CEO) staff for the nonstop work they have done over the past several months keeping all the events and operations moving along. Chairman Stanton congratulated Joy Beasley on her new position at the NPS as the permanent Associate Director of Cultural Resources, Partnerships, and Science, and expressed his appreciation to recent committee alum Luis Hoyos for his years of service to the CEO Committee. He also welcomed the several new ACHP members who have been sworn in since the last meeting.

Awards

Patricia Knoll gave an overview of the ACHP awards program, with the ACHP/HUD Secretary's award coming next on October 21. Plans are in motion for Chairman Jorjani to present the award in person at the winner's location, with Department of Housing and Urban Development leadership on video. Chairman Stanton expressed his support for ACHP members serving on the award jury noting it is an uplifting experience.

During the spring's ACHP/HUD award jury, Vice Chairman Rick Gonzalez suggested a youth award, or some way to recognize organizations or individuals who show exceptional effort to achieve youth involvement in historic preservation. Members expressed support for this idea, with Chairman Jorjani suggesting the NPS or Forest Service may be good agencies to reach out to for information about their youth programs. Casey Sacks said the Department of Education would support any way to get young people more engaged, and helping them explore the traditional trades and historic preservation would be beneficial. Mayor Robert Simison suggested having a youth member of the ACHP in an ex officio capacity.

Chairman Stanton asked the staff to write a draft plan for such an award and circulate it amongst the members. Katherine Slick (ACHP Foundation) suggested looking at other national awards and gleaned some best practices, and finding what the ACHP's unique hook would be to recognize youth.

America 250

Dru Null gave an overview of the Semiquincentennial Commission's work and the ACHP's involvement. Chairman Jorjani was asked to join the task force on parks, preservation, and public spaces. She noted she is trying to insert preservation whenever she can, leading up to the 2026 commemoration. Mr. Fowler

noted the opportunity to work with other agencies and partners relating the historic preservation message with media events and outreach was the purview of the CEO Committee. He asked for members' ideas for collaboration. Susan Glimcher said the Preservation in Practice program would fit under the umbrella of America250. Mr. Tannenbaum suggested a connection to the Preserve America Communities and Stewards would be useful. Mr. Fowler noted that would be discussed in the Preservation Initiatives Committee meeting.

Preservation in Practice

Chairman Stanton thanked the NPS and the National Trust for their partnership on this project. Since the hands-on program had to pause in 2020, the partners decided to work on the professional development angle that they had hoped to pursue originally. Milan Jordan, HOPE Crew director, said the virtual mentoring program for students who have already participated in Preservation in Practice is happening this year. She said the partners hope to re-engage the students for a year-long mentor match where they would have small group discussions, professional development, portfolio review, and professional growth. Mr. Tannenbaum suggested getting a foundation to fund a degree or certificate program in preservation at Historically Black Colleges and Universities (HBCUs).

New Business

Shayla Shrieves discussed the ACHP's fall intern who is an architecture student at Howard University. He will be working with OCEO and OFAP on a number of projects. Also, the Section 3 Report to the President is due next February. OCEO will work with OFAP on the report editing, design, and production of the final product to the President.

Ms. Knoll mentioned OCEO worked on the HBCU Week virtual conference the previous week, offering two sessions to attendees about jobs, and operated the virtual "booth" and live chat times. More than 3,000 visits were counted at the booth. Additionally, an ACHP-produced video about Preservation in Practice was shown at the award ceremony on the last day of the conference. Chairman Stanton said it is good to increase the exposure to career opportunities in historic preservation that may not have been on students' radars.

PRESERVATION INITIATIVES COMMITTEE

Traditional Trades Training Task Force

Committee Chairman Rick Gonzalez opened the meeting on October 1 and asked Chairman Jorjani and Ms. Null to provide background on the work of the Traditional Trades Training Task Force. The Task Force is working to promote the expansion of traditional trades training to address an acute shortage of skilled workers in the traditional trades. The Task Force's focus areas include credentialing or qualification standards, apprenticeships, open-source curriculum, and the development of an ACHP policy statement. The Preservation Initiatives (PI) Committee proceeded with discussion of traditional trades training generally and of the draft policy statement developed by the Task Force.

Chairman Gonzalez noted that Florida has high school magnet programs in areas like carpentry, which could incorporate traditional trades training. The Institute of Classical Architecture and similar non-profits could expand their focus on historic preservation. Ms. Slick said the policy statement's emphasis on addressing Department of Labor occupational codes/tracks is important. She also stressed the need to quantify the scope of the need. Knowing how many buildings are in historic districts would help define the opportunity for creating new jobs in this area. Preserve America Communities and Certified Local Governments (CLGs) could be asked what training is currently offered and what are their needs. Mr. Stanton suggested talking to the Forest Service about their partnerships with Job Corps. Mr. Rowley said he would check with the Job Corps Centers and report back on how historic resources are included, or can be.

Chairman Jorjani mentioned that the National Historic Preservation Act (NHPA) authorizes use of Historic Preservation Fund monies for traditional trades training. Mr. Wolfe wondered whether funding provided after disasters might be used in part to train workers. Mr. Hein noted the often lengthy delays in states receiving such funding, depending on the language of the appropriation. Chairman Gonzalez noted that the country is experiencing more storms, more frequently, and there is currently not enough capacity to remedy damage to historic resources. Roofers and apprentices need to be trained to install the right material the first time so it does not double the work.

Ann Walker (Preserve America Youth Summit) said the Colorado State Historic Fund has funded community colleges to fund trades training for a period of years, but when funding is withdrawn the programs do not last. Local advocates for these training programs are needed, such as CLGs. Partnerships with youth corps and high schools also are important. Ms. Slick noted that the CORPS Act pending in Congress could potentially enhance the use of conservation corps to preserve historic properties, but that the bill focuses on natural resources. She noted that there has been discussion between ACHP staff, the National Trust, and other preservation partners regarding legislative language changes that would address the issue. Tom Cassidy (NTHP) indicated National Trust support for those changes.

Mr. Fowler explained the next steps in the policy statement development process. A revised draft will go to the full membership of the ACHP for review and comment before a vote by an unassembled meeting to approve it. Chairman Jorjani asked whether it needed to go out for public comment. Mr. Fowler said that was not required, but that it could be shared with select additional groups if she desired. Chairman Jorjani asked the committee to provide any additional comments on the draft policy statement in the next week.

Great American Outdoors Act (GAOA)

The funding for deferred maintenance provided in GAOA provides a possible opportunity to fund traditional trades training. Mr. Cassidy noted that the National Trust's HOPE Crew has worked with NPS on deferred maintenance, but that NPS was slow at processing task agreements. This potentially will complicate implementation of the act. Chairman Jorjani indicated that the ACHP needs to emphasize that maintenance is preservation, and that more flexible hiring processes are needed. She has reached out to Department of the Interior leadership on the issue.

Mr. Hein expressed concern that no funding has been provided to SHPOs to assist with Section 106 review of the large number of projects that will be created by GAOA, particularly since some SHPO staffs have shrunk due to COVID-19. Mr. Fowler noted the ACHP is hiring an ACHP/NPS liaison to help with the increased workload and to expedite an agreement on using deferred maintenance funding to do preservation work. Mr. Hein noted that GAOA also provides for an unprecedented infusion of cash into the Land and Water Conservation Fund that will result in a large number of projects in local communities that may not be well versed in Section 106 review. Ms. Beasley indicated that NPS leadership is aware of the issue, and discussions are underway as to whether GAOA funding can be used to address the problem.

Affordable Housing

Chairman Jorjani acknowledged and thanked outgoing PI Committee Chairman Brad White, stating that he had been an invaluable resource on affordable housing. Mr. White indicated that he would remain available to help the ACHP if called upon. Chairman Jorjani said the final report of the White House Council on Removing Barriers to Affordable Housing has not yet been released. The ACHP provided language for the report indicating that the ACHP will be revisiting its 2006 policy statement on historic preservation and affordable housing. Once the report is out, that process will begin. Chairman Gonzalez said there are three areas of concern when working on these types of projects, based on his experience as

an architect: the impact of FEMA on finish floor levels and flood protection; the impact from building codes in the Southeast on hurricane upgrades; and the impact on energy codes' improvement requirements such as insulation, window upgrades, etc. These are the type of new issues that need to be addressed to update the 2006 policy statement.

America 250

Ms. Null updated the group on the work of the U.S. Semiquincentennial Commission and the America 250 Foundation. Chairman Jorjani represents the ACHP on the Parks, Preservation, and Public Spaces Task Force, which met on September 16. The Task Force is developing goals and objectives that may be of major interest to the ACHP. It is considering using the anniversary as the occasion to amend the NHPA on its 60th anniversary or propose new historic preservation legislation. The task force also has shown interest in possibly leveraging the existence of Preserve America Communities and Stewards as part of America 250 outreach. Mr. Tannenbaum suggested it might also be an opportunity to restart funding for Preserve America Grants. Chairman Gonzalez suggested exploring how traditional trades training might fit into America 250.

Mr. Fowler explained that the commemoration runs through 2026, with outreach starting on Veterans Day this year. The ACHP's latest (2017) recommendations on how to improve the federal preservation program legislatively and administratively should inform the input. This is not a celebration but a commemoration, and is not focused only on the 13 original colonies but rather on 250 years of United States history. The planners need to figure out how to engage Indian tribes in this initiative.

New Business

Mr. Cassidy noted that a continuing resolution to fund the federal government through December 11 was signed. There has been no conversation yet on a full budget package. In other legislative news, a bill to add other relevant places to the Brown v. Board of Education Historic Site has been introduced.